

UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address)
ROLANDO RODRIGUEZ (D.O.B.) Case No. 22-935M(NJ)
XX/XX/1994), as further described in) Matter No.: 2022R00199
Attachment A.)

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the Eastern District of Wisconsin (identify the person or describe the property to be searched and give its location):

See Attachment A.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B.

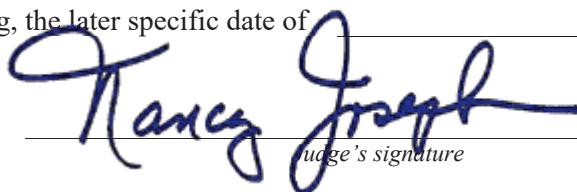
YOU ARE COMMANDED to execute this warrant on or before 8/17/2022 (not to exceed 14 days) in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Hon. Nancy Joseph (United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

for _____ days (not to exceed 30) until, the facts justifying, the later specific date of _____.

Date and time issued: 8/3/2022 @ 3:38 p.m.
Nancy Joseph
Judge's signature

City and state: Milwaukee, Wisconsin

Honorable Nancy Joseph, U.S. Magistrate Judge
Printed name and title

Return

Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
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Inventory made in the presence of :

Inventory of the property taken and name(s) of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

Executing officer's signature

Printed name and title

ATTACHMENT A

Person to Be Searched

The person to be searched is ROLANDO RODRIGUEZ (D.O.B. XX/XX/1994).

ATTACHMENT B

Particular Things to be Seized

The property to be seized is saliva containing epithelial cells by buccal swab.

UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address))
ROLANDO RODRIGUEZ (D.O.B. XX/XX/1994),)
as further described in Attachment A.)
Case No. 22-935M(NJ)
Matter No.: 2022R00199

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

See Attachment A.

located in the Eastern District of Wisconsin, there is now concealed (*identify the person or describe the property to be seized*):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
 - contraband, fruits of crime, or other items illegally possessed;
 - property designed for use, intended for use, or used in committing a crime;
 - a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. §§ 2113(a); 2113(d) & (2)(a)	Armed Bank Robbery.

The application is based on these facts:

See Attached Affidavit.

- Continued on the attached sheet.

Applicant's signature

SA Jay D. Johnston, FBI
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone (specify reliable electronic means).

Date: 8/3/2022

City and state: Milwaukee, Wisconsin

Honorable Nancy Joseph, U.S. Magistrate Judge
Printed name and title

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Jay D. Johnston, being first duly sworn on oath, on information and belief state:

I. INTRODUCTION, BACKGROUND, TRAINING, AND EXPERIENCE:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since September 1997. Prior to my employment with the FBI, I was a deputy sheriff, in Jackson, Michigan, for approximately 8 years. I am currently assigned to the FBI's Milwaukee Area Violent Crimes Task Force. This Task Force is a multi-jurisdictional law enforcement entity charged with investigating violations of federal law, including bank robberies, commercial robberies and other violent crime matters, defined under Title 18 of the United States Code. I have been trained in a variety of investigative and legal matters, including the topics of Fourth Amendment searches, the drafting of search warrant affidavits, and probable cause. I have assisted in criminal investigations, participating in surveillance, interviews, and debriefs of arrested subjects. As a result of this training and investigative experience, I have learned how and why violent actors typically conduct various aspects of their criminal activities.

2. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant to collect an oral swab of deoxyribonucleic acid DNA from saliva containing epithelial cells from ROLANDO RODRIGUEZ, DOB: XX/XX/1994 (hereafter RODRIGUEZ).

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that on or about March 28, 2022 and on or about May 06, 2022, RODRIGUEZ committed Armed Bank Robberies in the city of St. Francis, Wisconsin, near the area of 3545 South Kinnickinnic Avenue. These offenses are in violation of Title 18, United States Code, Sections 2113(a) and 2(a).

4. This affidavit is based upon my personal knowledge, my training and experience, and on information reported to me by other state and local law enforcement officers during their official duties, all of whom I believe to be truthful and reliable. This affidavit is also based upon police reports, physical surveillance, and witness statements that I consider to be reliable as set forth herein.

5. Because this affidavit is submitted for the limited purpose of obtaining a search warrant, I have not included each and every fact known to me concerning this investigation. I have attempted to set forth only the facts that I believe are pertinent to establishing the necessary foundation for the warrant.

II. PROBABLE CAUSE

6. On March 28, 2022, at about 9:06 a.m., St. Francis Police Department (SFPD) Officers responded to the PNC Bank, located at 3545 S. Kinnickinnic Avenue, St. Francis, Wisconsin, for a report of an armed robbery. The PNC Bank is a federally insured financial institution. Upon arrival, officers learned that the subject, described as a white or Hispanic male, approximately 5'7" to 5'10" tall, thin build, wearing a gray hooded jacket with two large pockets on the front, a black knit winter cap, a black neoprene face mask, dark colored pants, gray tennis shoes, and gray gloves, entered the PNC bank, threw a black backpack with neon pink accents onto the counter and demanded money or he would shoot the teller. The weapon, although implied, was never brandished. The subject demanded that the teller retrieve money from the second and third "vault" indicating that the subject was familiar with the fact that the teller had multiple drawers with ascending values inside. The offender fled on foot northbound from the bank to an alley. Based on surveillance footage, the subject was observed being dropped off prior to the robbery, in the 2200 block of East Morgan Avenue, by a white Nissan Altima with heavily tinted

windows, hereinafter, the “Subject Vehicle,” and walked to the bank on foot. Following the robbery, the Nissan was observed getting onto Interstate 794 northbound, at approximately 9:06 a.m.

7. Interviews of two tellers were conducted. Teller one, hereinafter J.A., stated that the bank had just opened when the suspect approached the window, put the black backpack with pink details on the counter and demanded J.A. give him money in “ten seconds” or he “would start shooting.” J.A. further stated that the suspect told him he was not going fast enough and the suspect was going to shoot him. J.A. believed that the suspect had a gun based on the suspect’s statements.

8. The second teller, hereinafter K.L., stated that s/he could hear the threats the suspect made about shooting people, so K.L. quickly emptied their teller drawer and handed the suspect the money over the counter. K.L. and J.A. both stated they feared for their lives. The suspect stole approximately \$7,600.00 in U.S. currency.

9. SFPD officers recovered surveillance video from a neighboring home’s exterior surveillance system, which showed a white vehicle, with dark tinted windows and rims, drop off a slender male subject in the 2200 block of East Morgan Avenue, approximately one block north of the PNC Bank. The subject, wearing a gray coat with the hood up and dark pants, walked eastbound after being dropped off on that block at approximately 8:58 a.m. This clothing matched the subject’s clothing observed in the PNC Bank surveillance footage. Additional footage recovered from the same home surveillance system showed the offender a few minutes later coming back from the direction of the bank and running westbound down East Morgan Avenue. The subject was observed carrying the black/neon pink backpack that he presented inside the bank.

10. While canvassing the area, SFPD Captain Blunt spoke with a crew working on the corner of East Morgan Avenue and South Ellen Street. The crew stated that they had observed a white sedan with dark tinted windows leave the area at a high speed at about the same time officers were responding to the bank.

11. Based on the surveillance video, it was determined that the vehicle was a white 2016-2019 Nissan Altima. The Department of Transportation (DOT) video surveillance system was able to track the vehicle entering Interstate 794, at East Oklahoma Avenue, at approximately 9:06 a.m., and later exit Interstate 43, at West North Avenue, within the city of Milwaukee. The Nissan then traveled westbound from the freeway, on West North Avenue, approximately six minutes later.

12. Based on the information gathered, additional neighborhood surveillance footage was obtained and additional photos were provided by DOT. The following detailed description of the Subject Vehicle was provided to neighboring law enforcement agencies: A white 2016-2019 Nissan Altima, with heavy tinted windows (including windshield), front passenger side damage, two different colored exterior mirrors (one white, one black), and black wheels without hubcaps. There also appeared to be a front and rear registration plate on the vehicle. A few hours following the robbery, on March 28, 2022, at approximately 2:30 p.m., Milwaukee County District Attorney Investigator Steven Strasser located the Subject Vehicle, a white, Nissan Altima, Wisconsin registration ALR9482, parked in the 2500 block of North 10th Street, in the City of Milwaukee. The vehicle's registration listed to an residence at 2402 North 9th Street, Milwaukee, Wisconsin. Officers on scene confirmed that the unique features listed above matched this vehicle. This Nissan was parked approximately 0.6 miles from where DOT last observed the vehicle on camera. DOT confirmed the plate, ALR9482, listed to a white 2016 Nissan Altima, VIN#

1N4AL3AP6GN349580. The registered owner was MEKHI DANIELS, hereafter DANIELS. The Subject Vehicle was towed back to the SFPD and secured as evidence.

13. On the afternoon of March 29, 2022, Detective McManus conducted another query of the Nissan's registration ALR9482 and learned that the vehicle had been reported stolen, on March 29, 2022, at approximately 11:00 a.m., to the Milwaukee Police Department (MPD). Per the MPD report, on March 29, 2022, at about 9:00 p.m., DANIELS walked into the MPD Fifth District police station and reported his vehicle stolen. DANIELS reported that he had parked the vehicle in the 1000 block of West North Avenue, at 11:00 p.m., on March 27, 2022 (the night prior to the bank robbery). DANIELS stated that he had not driven his vehicle since, "because something was wrong with it."

14. While conducting a canvas of the area that the Nissan was located, 2500 North 10th Street, Milwaukee, Wisconsin, SFPD Officer Jeremy Harcus obtained surveillance footage from a residence that showed that on March 28, 2022, at approximately 1:30 p.m. (approximately 4 ½ hours after the robbery), the Nissan pulled up to the location where it had been located on March 29, 2022. A single occupant is observed getting out of the vehicle and getting into a white Ford Expedition. That Ford Expedition has been identified as bearing Milwaukee Bucks license plate 10892MB. The Department of Transportation listed that vehicle to Taniesha Daniels, of 2402 North 9th Street, Milwaukee (DANIELS' residence).

15. On May 6, 2022, at approximately 5:03 p.m., SFPD Officers responded, again, to the PNC Bank, located at 3545 South Kinnickinnic Avenue, St. Francis, Wisconsin, for a report of another armed robbery. Upon arrival, officers learned that a subject, described as approximately 5'5" tall, Hispanic male, wearing a black Puma sweatshirt with a synched hood, a black mask, big

eyes, wearing gloves, had robbed them with an implied weapon. The subject stole approximately \$1,552.00 in U.S. currency.

16. A victim teller, hereafter T.D., stated that they had just finished balancing their drawer when he heard commotion over by the west entrance. The subject approached the teller window and stated something to the effect of “give me all the money and no one gets hurt.” T.D. stated that s/he opened the drawer and began to pull the money out. T.D. stated that the subject was “counting down from 10,” that s/he was moving too slow, and that the subject wanted “big bills.” T.D. stated that s/he feared for their safety and thought the subject was going to begin shooting. T.D. began to back away from the drawer and walk towards the vault to get larger bills, however, the subject then reached through the teller window and grabbed the drawer. When T.D. returned from the vault, the subject was no longer at the window.

17. The second victim, hereinafter J.A., stated that s/he was the victim of the prior armed robbery at the same PNC Bank, on March 28, 2022. J.A. stated that s/he was one hundred percent certain that the subject was the same person who robbed the PNC Bank, on March 28, 2022. J.A. stated that the subject’s voice and eyes were identical to that of the subject from the March 28, 2022 bank robbery. J.A. stated that the subject walked through the bank doors just as J.A. was walking towards the doors to lock the bank. J.A. stated that the subject entered the bank and walked by J.A., on his way to the teller line, and stated “You know what it is. I’m back.” J.A. stated that the subject’s comment further made her/him believe that the subject was the same individual as the subject in the March 28, 2022 robbery. J.A. stated that the subject made his way to teller T.D. carrying a gray plastic grocery bag, where he demanded money from T.D. J.A. stated that the subject told T.D., “I’m gonna count to ten, then I’m gonna start shooting.” J.A. stated that the subject of the robbery on March 28, 2022 said something similar. J.A. stated that the subject

eventually reached through the teller window and grabbed the drawer. As the subject pulled the drawer over the teller wall, he hit the protective plexiglass and spilled large sums of money on the ground in front of the teller line. J.A stated that the subject struggled, as he attempted to pick up the money from the ground. J.A stated that the subject collected some of the money on the ground and fled from the bank with the entire drawer in his possession. J.A stated that once the subject walked out of the bank, some of the cash blew out of the drawer from the wind. J.A stated that he observed the subject run northbound through the bank parking lot, enter the rear driver's side door of a vehicle parked on the north side of East Eden Place. J.A. described the vehicle, hereafter Suspect Vehicle 2, as a gray sedan with tinted windows.

18. SFPD Officers were able to obtain surveillance footage from the bank as well as from a neighboring home's exterior surveillance footage. The video footage observed from the residential surveillance showed Suspect Vehicle 2 driving northbound on South Ellen Street, at a high rate of speed. A still shot from the video footage showed a grey Mercedes Benz sedan, with no registration plate, and heavily tinted windows. PNC Bank surveillance footage showed a male subject, thin to medium build, wearing white/gray tennis shoes, jeans with rips/holes down length of leg, white undershirt, black hooded sweatshirt with "PUMA" written in white lettering across the chest, black gloves, and a black facemask. At approximately 16:58:57 hours, a gray Mercedes Benz sedan is observed exiting the alleyway onto East Eden Place, and at approximately 16:59:08 hours, the Mercedes Benz sedan parks on the north side of West Eden Place, in front of 2308 East Eden Place, facing west. At approximately 16:59:30 hours, the subject can be seen walking towards the bank from the parked vehicle and at 17:00:03 hours, the subject enters the bank via the west entrance. At 17:00:03 hours, the subject grabs the teller drawer and at 17:01:09 hours, the subject exits the bank with the teller drawer in hand. At 17:01:29 hours, the subject enters the

parked Mercedes Benz sedan and at 17:01:32 hours, the Mercedes Benz sedan flees westbound in the 2300 block of East Eden Place.

19. A detailed description of the Subject Vehicle 2 was provided to neighboring law enforcement agencies and it was determined that on May 5, 2022, a silver 2016 Mercedes Benz C300 sedan (WI plate AAL-6371) with heavily tinted windows was reported stolen from 3200 South 27th Street, Milwaukee, Wisconsin.

20. On May 10, 2022, at approximately 12:00 p.m., MPD officers were dispatched to the area of the 2200 block of East Vollmer Avenue, Milwaukee, Wisconsin, in regards to a citizen locating a bank teller drawer. SFPD Detective Gilden responded and identified a witness, hereinafter P.K., who stated that on May 6, 2022, at approximately 5:00 p.m., P.K. was sitting on the porch, which faces north, and heard a vehicle traveling at a high rate of speed in the alley across the street (alley between Vollmer Avenue and Holt Avenue). P.K. stated that they observed the vehicle exit the alleyway onto Volmer Avenue, which was in direct view of the porch. P.K. described the vehicle as a gray sedan. P.K. further stated that the vehicle turned eastbound onto Vollmer Avenue and then violated the stop sign as it went northbound onto Kinnickinnic Avenue. P.K. stated that when the vehicle was exiting the alleyway, it sounded like something was being dragged under the car. P.K. stated that they observed the tan, plastic drawer slide and come to a rest near the alleyway exit. A photo of Suspect vehicle 2 was shown to P.K. and P.K. confirmed that this was indeed the vehicle they had observed drive out of the alley and leave the drawer behind. The drawer, as well as a gray plastic grocery bag, which was left by the robber near one of the teller stations, were submitted to the Wisconsin State Crime Lab for Processing.

21. Based on the aforementioned information, on May 11, 2022, DANIELS was taken into custody and arrested for Robbery of a Financial Institution-Party to, in violation of Wisconsin

State Statute §943.87, by SFPD, assisted by the MAVCTF. After being read his Advice of Rights (Miranda Warnings) and agreeing to speak to detectives, DANIELS was questioned about the PNC Bank robbery, on March 28, 2022, due to his vehicle being identified as the vehicle the bank robbery suspect arrived and departed in. DANIELS was shown surveillance footage of the vehicle and identified his vehicle as the vehicle used in the robbery, however, DANIELS denied being involved in the robbery. DANIELS was shown surveillance photos of the robbery suspect and identified the suspect as RODRIGUEZ. DANIELS stated that on the day of the robbery, RODRIGUEZ kept calling DANIELS requesting to meet. DANIELS stated that RODRIGUEZ, armed with a handgun, demanded the key to DANIELS' vehicle and his wallet. DANIELS stated that, in fearing for his safety, he followed RODRIGUEZ's instructions, and exited the vehicle. DANIELS stated that RODRIGUEZ then entered the driver's seat of the vehicle and drove away. DANIELS stated that approximately one hour later, RODRIGUEZ returned the vehicle and parked it in the same location. DANIELS stated that he was aware that RODRIGUEZ had previously robbed a bank and had just been released from prison. In a subsequent interview of DANIELS, DANIELS admitted to police that he knew that RODRIGUEZ had most likely robbed a bank with his vehicle; however, DANIELS reiterated that he did not have anything to do with the robbery on March 28, 2022.

22. On May 12, 2022, an NCIC check of RODRIGUEZ was conducted. It was determined that RODRIGUEZ had been federally convicted of bank robbery, on September 19, 2013. RODRIGUEZ was sentenced to 102 months in prison and 5 years of supervised release. During the NCIC check, it was also determined that RODRIGUEZ also had an active outstanding warrant through the U.S. Marshal's Service (USMS) for a probation violation, as well as an outstanding warrant from Waukesha County Circuit Court for a probation violation.

23. On June 6, 2022, Detective GILDEN, SFPD, received a DNA databank alert from the State Crime Lab-Madison office, in regards to the DNA sample (identified as “A2”) collected from the gray plastic grocery bag left behind at the second bank robbery, on May 06, 2022. SFPD Sample A2 was linked to West Allis Police Department’s (WAPD) case number #09-010062, which was a burglary to a jewelry store in their jurisdiction. WAPD’s sample, which was blood evidence identified as “A1a,” had a CODIS “hit” to ROLANDO R. RODRIGUEZ. At the time of this affidavit, we have not determined if a buccal swab standard was collected from RODRIGUEZ to confirm their CODIS hit.

24. On June 07, 2022, a state search warrant, signed by Milwaukee County Circuit Court Commissioner Barry Phillips, was obtained for 2403 North 55th Street, Milwaukee, which is an address associated to RODRIGUEZ. This residence was provided by RODRIGUEZ’s Federal Probation Agent, Megan Cleveland, as RODRIGUEZ’s mother’s residence, which is one of two addresses that RODRIGUEZ had reported staying at before absconding from federal probation. The search warrant was executed on June 08, 2022, by the SFPD, assisted by the MAVCTF. Members of RODRIGUEZ’s family were at the residence, however, RODRIGUEZ was not located. A search for items related to the bank robbery was conducted. Numerous articles of clothing relevant to both PNC Bank robberies, including, but not limited to a black back with neon pink accents backpack, athletic shoes, a light gray jacket, and a red hooded sweatshirt. A key fob for a Mercedes and a credit card belonging to the owner of the stolen Mercedes was also located. Additionally, a jacket believed to be the jacket worn by RODRIGUEZ during the theft of the Mercedes, on May 05, 2022, was recovered.

III. CONCLUSION

25. Based on the information above, I submit that there is probable cause to believe that by taking oral swabs of the mouth of ROLANDO RODRIGUEZ (DOB XX/XX/1994), there may now be found DNA that is evidence of armed bank robbery, in violation of Title 18, United States Code, Sections 2113(a) and 2(a). Therefore, I request that this Court issue a search warrant to obtain samples of ROLANDO RODRIGUEZ's (DOB: XX/XX/1994) DNA from saliva containing epithelial cells for subsequent testing and examination.

ATTACHMENT A

Person to Be Searched

The person to be searched is ROLANDO RODRIGUEZ (D.O.B. XX/XX/1994).

ATTACHMENT B

Particular Things to be Seized

The property to be seized is saliva containing epithelial cells by buccal swab.